

AMENDMENTS TO THE DRAWINGS

Please replace the currently pending copy of Figure 4 with a new copy of Figure 4. The number 10 was replaced by number 12. See Replacement Sheet 1/1, enclosed with the present amendment. Also enclosed is a marked-up copy of Figure 4.

* * * *

REMARKS

1. The above claim amendments and present remarks are presented as a written submission accompanying a Request for Continued Examination (RCE) filed by Applicants concurrently herewith.

2. Claims 4-15 and 44-69 are pending in the application. Independent claims 4, 7, 10, 13, 44, 52, 60, 68 and 69 have been amended. Support for the language “*controlling the one or more unit audio information objects included in the corresponding partial recording information objects in a predetermined order*” can be found, by way of example and not of limitation, at page 16, lines 12-21 of the application as originally filed. Support for the language “*the partial recording information attribute information indicating attributes of the one or more unit audio information objects*” can be found, by way of example and not of limitation, at page 20, lines 25-26 or page 21, lines 15-17 of the application as originally filed.

3. Submitted herewith is amended Fig. 4 of the drawings, where reference numeral 10 has been replaced with reference numeral 12. Support for the amendment can be found, by way of example and not of limitation, on page 20, lines 23 and following.

4. In the Final Action of November 9, 2005, the Examiner objects to the phrase “partial recording information objects” in the claims and submits that there is no clear support for such phrase. The Applicants respectfully point out to the Examiner that this objection was traversed by Applicants in response to a previous rejection of the Examiner. See, for example, page 12, lines 5-8 of the application as originally filed. See also the ‘Remarks’ section of Applicants’ response filed September 21, 2005. Therefore, the Applicants believe that the objection of the Examiner has been successfully overcome.

The Examiner will also note that Applicants are requesting an interview with the Examiner (see section 7 of the present written submission) should the present, amended, set of claims not be deemed to be allowable by the Examiner. During that interview, should the Examiner still

believe the phrase "partial recording information objects" to be unclear, such phrase could be replaced with "data portion."

5. In section 1 of the Final Action of November 9, 2005, the Examiner rejects claims 4-15, 52-61, 68 and 69 under 35 USC 103(a) as being unpatentable over Heo and U.S. Pat. No. 6,104,684 to Moriyama or Mishina and Moriyama.

The Applicants have amended independent claims 4, 7, 10, 13, 52, 60, 68 and 69 and submit that claims 4-15, 52-61, 68 and 69 are patentable also in view of such amendments.

Further, with reference to Mishina, the Examiner states that Mishina (the U.S. equivalent of which is U.S. Pat. No. 5,745,643) discloses a plurality of VOB segments and an appropriate control data attribute table (vts_v_atr). However, in Mishina, vts_v_atr is a table for all VOBS in one VTS (see column 17, lines 64-67). Figure 22 of Mishina shows the table vts_v_atr (sixth row from the bottom) as part of table 98 (see column 17, lines 23-24 of Mishina). As shown in Figure 21 of Mishina, table 98 is part of the VTSI 94. However, the table vts_v_atr does not indicate each attribute of each VOB. This is because, in Mishina, the common attribute is provided by all VOBS in one VTS. Therefore, the table vts_v_atr indicates attributes of VTS. Therefore, Mishina does not disclose, *"a control data area where control data including partial recording information attribute information is recorded, the control data corresponding to each of the partial recording information objects and controlling the one or more unit audio information objects included in the corresponding partial recording information objects in a predetermined order, the partial recording information attribute information indicating attributes of the one or more unit audio information objects".*

Still further, with reference to U.S. Pat. No. 6,104,684 to Moriyama, Applicants note that under 35 U.S.C. 103(c), subject matter developed by another person which is prior art under subsections 35 U.S.C. 102(e), (f) and (g) shall not preclude patentability under 35 U.S.C. 103 where the subject matter and the claimed invention was made, owned by the same person or subject to an assignment to the same person.

Statement Under 35 U.S.C. 103(c)

Application Serial No. 09/131,941 and issued Patent Number 6,104,684 to Moriyama et al were, at the time the invention of Application Serial No. 09/131,941 was made, owned by Pioneer Electronic.

In view of the above, Applicants respectfully request that the rejections of claims 4-15, 52-61, 68 and 69 be withdrawn and the claims passed to issue.

6. In section 2 of the Action, the Examiner rejects claims 44-51 under 35 USC 103(a) as being unpatentable over Mishina and Moriyama or Heo and Moriyama. The Applicants have amended independent claim 44 and submit that claims 44-51 are patentable also in view of such amendments.

Further, with reference to Mishina, the Applicants reiterate the arguments provided above. Still further, the Applicants submit that U.S. Pat. No. 6,104,684 to Moriyama is not prior art to the present application under 35 USC 103(c).

7. The Applicants respectfully submit that claims 4-15 and 44-69 are allowable in view of the above amendments and remarks. Should the Examiner believe that some issues still need to be solved, the Applicants hereby request an interview with the Examiner. The Examiner is respectfully request to contact the below undersigned representative at the Examiner's earliest convenience. In doing so, the Applicants also suggest that the interview take into account both the present application and divisional application 11/050,149 of the present application, for which a response to an Action has been recently filed by Applicants.

In view of the above, reconsideration and allowance of all the claims are respectfully solicited.

The Commissioner is authorized to charge any additional fees, which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addresses to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

May 8, 2006

(Date of Transmission)

Susan Papp

(Name of Person Transmitting)



(Signature)

05/08/06

(Date)

Respectfully submitted,



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Encl.: Request for Continued Examination

Check # for \$790 - RCE Fee

Check # for \$¹⁰²⁰ - Fee for Extension of Time

Figure 4 marked-up sheet

Replacement Sheet 1/1 for Figure 4

Postcard



FIG. 4

